

### Remarks

This Amendment is responsive to the Final Office Action mailed August 25, 2003. In this Office Action, Claims 1-34 were rejected under 35 U.S.C. §102(e) as being anticipated by Wakefield, II (U.S. Pat. No. 5,961,561), Moore (U.S. Patent No. 6,370,454) or Moore et al. (U.S. Patent No. 4,697,243).

It has recently been discovered that the original application included a typographical error in that there did not exist an original claim 26. As such, there has never been a claim 26 pending in the present application; rather the numbering of the claims presented for examination, and subsequently rejected in the Final Office Action, were 1-15 and 27-34. In order to correct this oversight, claims 27-34 are hereby re-numbered 26-33, respectively. The remarks below reference the claims, as re-numbered.

As a result of this Amendment, claims 1, 2, 10, 16, 19, 20, 23, 27-29, 32 and 33 have been amended and are believed to be allowable over the Moore, Moore et al. and Wakefield, II. Claims 4-7, 9, 17-18, 21-22 and 30-31 have been cancelled without prejudice. Further, claims 34-51 are hereby added. Thus, claims 1-3, 8, 10-16, 19-20, 23-29 and 32-51 are now pending.

As a preliminary matter, the cancellation of claims 4-7, 9, 17-18, 21-22 and 30-31 and the amendments to claims 1, 2, 10, 16, 19, 20, 23, 27-29, 32 and 33 should not be deemed an acquiescence of the prior art teachings or disclosure of Moore, Moore et al. or Wakefield, II, as asserted in both the Final and the first, non-final Office Action. Rather, these amendments and cancellations have been made in furtherance of expediting the prosecution of the present application. Indeed, Applicant reserves the right to re-submit the cancelled and pre-amended claims in a continuing application. With that said, reconsideration of the application is respectfully requested in light of the above amendments and in consideration of the following remarks.

All independent claims in the present application - claims 1, 16, 23 and 27 - have been amended to recite that *business data* is collected and analyzed to detect the occurrence of a time-critical situation. In general, business data is data associated with business aspects of a specific customer account for which a service is being provided. For example, and by means of illustration only, one embodiment of business data described in the specification relates to a financial aspect associated with a service being performed by one or more field service

providers. In this embodiment, an exemplary time-critical situation occurs when an invoice for the service is past due.

Contrasting amended claims 1, 16, 23 and 27 from Moore, Moore et al. and Wakefield, II, none of these references teach data that could be construed as “business” data. As such, there is no suggestion or motivation in any of these references to collect, monitor or otherwise track such business data, as recited in each of amended independent claims 1, 16, 23 and 27. Rather, these references are solely directed to “device” data, i.e., data associated with actual operation of a utility device. For at least these reasons, amended claims 1, 16, 23 and 27 each recite at least one limitation that is neither taught nor suggested by Moore, Moore et al. or Wakefield, II. These claims are therefore believed allowable over Moore, Moore et al. or Wakefield, II, as are claims 2-3, 8, 10-15, 20, 23-29 and 32-33, each of which depends from one of these independent claims.

Claims 34-51 are hereby added in this application. These claims 34-51 are generally directed to notifying a service providing entity when a wash machine is malfunctioning, and therefore recite a specific embodiment of the present invention pertaining to wash machines. No new matter has been added in these claims, which also are believed allowable over the art of record.

## CONCLUSION

This Amendment is believed to be responsive to all points raised in the Final Office Action mailed August 25, 2003. Still, the Final Office Action may contain other arguments that are not directly addressed by this Amendment due to the fact that they are rendered moot in light of the preceding amendments and arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Final Office Action should not be taken as an indication that the Applicants believe the argument to have merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

With the submission of this Amendment and the accompanying RCE, claims 1-3, 8, 10-16, 19-20, 23-29 and 32-51 are pending in the application and are believed to be clearly allowable over the art of record. Accordingly, prompt allowance and passage of the application to issue are earnestly solicited. Should the Examiner have any remaining questions or concerns, he/she is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns. . A check is submitted herewith to cover the addition of claims 34-51 as well as the above-noted extension of time fee. Please charge any additional fee, or credit any overpayment, to Deposit Account No. 13-2725.

Respectfully submitted,

Dated: December 19, 2003



A handwritten signature in black ink, appearing to read "David D. Wier". The signature is written over a horizontal line.

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